

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lyon (2,744,426). Lyon discloses a method and tooling for closed die forging a product from a blank (9) comprising placing the blank (90) in a press tool (60) including a number of center members (80,68) and side members (66) surrounding the blank (90), closing the press tool on the blank by vertically clamping (fig. 9) the blank between an upper (80) and lower (68) center member. The side members (66) are horizontally, synchronously moved toward the center members (fig. 10, col. 6, lines 18-24) to upset outer parts of the blank in order to round off corners of the blank. At the same time the upper and lower center members (80,68) are respectively, held pressurized against the blank so that the blank fills a cavity defined by the center members and side members. The tooling includes at least first and second side members (66) and upper and lower tooling (80,68) wherein the side members are moved to upset outer blank parts in short horizontal movements provided by the sloping parts (66d) on the side members (66) that mate with sloping portions (70a) on press members (70). The side members (66) have at least upper (66d) and lower (66g) portions. Brake surfaces (side of members 66) and block (78) form a gutter (66c) therebetween.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD TOLAN whose telephone number is (571)272-4525. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on 571-272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Tolan/  
Primary Examiner, Art Unit 3725

Application/Control Number: 10/588,977  
Art Unit: 3725

Page 4